

The Examiner rejects claims 9, 12, 16, 21 and 22 under 35 U.S.C. §102(b) as being anticipated by the teaching of United States Patent No. 4,248,378 to Carruthers (hereinafter the "Carruthers patent"). The Applicants respectfully disagree with this rejection. This patent was previously cited with respect to the Office Action dated October 5, 2005. At that time, the claims were amended and determined to be patentably distinct over the Carruthers patent.

Nevertheless, the Applicants disagree with the Examiner's interpretation of the Carruthers patent, whereby elements 25 and 26 in Fig. 2 are a single vent pipe.

In particular, the Carruthers patent is directed to a self-priming device for indirect domestic water heating systems, wherein the associated piping arrangement includes the use of two separate vent pipes 25, 26 connected to each other by a self-priming device 1. Because the self-priming device 1 is located between the vent pipes 25, 26, this acts as an interruption so that the two vent pipes 25, 26 are not a single pipe, conduit or the like, but act as two separate components in the system. The self-priming device 1 comprises a chamber 5 which, in operation, is filled with air and provides a separation between the primary and secondary circuits.

When, during operation, air forms in pipe 25, the air will be "absorbed" by the buffer-like operations of the self-priming device 1. The same is true when water condenses in the pipe 25 during operation. The water condensation will be absorbed by the self-priming device 1. Over all, the results provided by the self-priming device disclosed and claimed in the Carruthers patent are entirely different from the result reached by the system in accordance with the present invention, wherein a heating system is provided with a single piece vent pipe which directly opens above a cold water reservoir for venting air or (condensed) water.

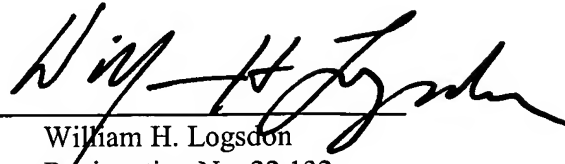
Furthermore, the Examiner rejects claim 10 under 35 U.S.C. §103(a) in view of the teaching of the Carruthers patent. By way of its dependence upon what is believed to be patentably distinct independent claim 9, dependent claims are themselves believe to be patentably distinct over the prior art of record.

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Reconsideration and allowance of claims 9-13, 16, 21 and 22 are respectfully requested.

Respectfully submitted,  
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